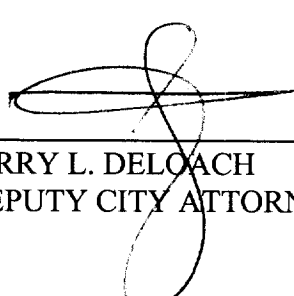


Entered - 09/24/03 - sb
CL - 03L0775 LISA CARTER

CLAIM OF: TRAVELERS INSURANCE COMPANY **03-*R*-1750**
as subrogee of Leonard and Kristina
Sinclair
P. O. Box 2954
Milwaukee, Wisconsin 53201-2954

For damages alleged to have been sustained as a result of a
tree falling on June 30, 2003 at 370 Robin Hood Road, NE.

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED

NOV 03 2003

ADVERSE REPORT

PUBLIC SAFETY &

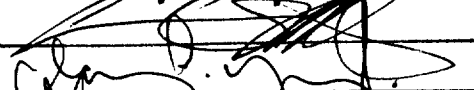
LEGAL ADMINISTRATION COMMITTEE

DATE:

P.S.

CHAIR:

10/28/03


Gary D. Smith
Clara M. Smith



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 10, 2003

TRAVELERS INSURANCE COMPANY
Attn: Kimberly Yoap
P. O. Box 2954
Milwaukee, Wisconsin 53201-2954

03-R-1750

RE: subrogee of Leonard and Kristina
Sinclair

Dear Ms. Yoap:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on November 03, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0775

Date: October 14, 2003

Claimant /Victim TRAVELERS INSURANCE COMPANY as subrogee of Leonard and Kristina Sinclair

BY: (Atty) (Ins. Co.) _____

Address: 370 Robin Hood Road, NE Atlanta, Georgia 30309

Subrogation: _____ Claim for Property damage \$ 7,388.72 Bodily Injury \$ _____

Date of Notice: 9/10/03 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 06/30/03 Place: 370 Robin Hood Road, NE

Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimants allege that they sustained damages as a result of a tree falling on their property at 370 Robin Hood Road NE. The claimants allege that a permit was requested to remove the tree prior to it falling; however, an investigation determined that there is no evidence to prove the allegations made by the claimants. (See Claim Number 03L0630)

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

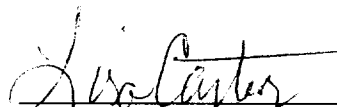
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10/16/03

Committee Action: _____ Council Action _____

RCS# 5122
11/03/03
1:40 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-18 EXCEPT:03-R-1860,
03-O-1653, 03-R-1676
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5123
11/03/03
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1860

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	A Mitchell
B Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5124
11/03/03
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1676

ADOPT

YEAS: 9
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 3
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Starnes	NV Fauver	B Martin	Y Norwood
A Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

		11-03-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1721 2. 03-O-1723 3. 03-O-1835 4. 03-O-1848 5. 03-O-1678 6. 03-O-1679 7. 03-O-1680 8. 03-O-1681 9. 03-O-1682 10. 03-O-1683 11. 03-O-1684 12. 03-O-1494 13. 03-O-1651 14. 03-O-1652 15. 03-O-1689 16. 03-O-1700 17. 03-O-1701 18. 03-O-1829 19. 03-O-1695 20. 03-O-1375 21. 03-O-1511 22. 03-O-1666 23. 03-O-1667 24. 03-O-1838 25. 03-R-1504 26. 03-R-1658 27. 03-R-1808 28. 03-R-1860 29. 03-R-1861 30. 03-R-1815 31. 03-R-1816 32. 03-R-1817 33. 03-R-1676 34. 03-R-1800 35. 03-R-1804 36. 03-R-1866 37. 03-R-1668 38. 03-R-1810 39. 03-R-1811 40. 03-R-1863	41. 03-R-1869 42. 03-R-1870 43. 03-R-1873 Items Adversed on Consent 44. 03-R-1729 45. 03-R-1730 46. 03-R-1731 47. 03-R-1732 48. 03-R-1733 49. 03-R-1734 50. 03-R-1735 51. 03-R-1736 52. 03-R-1737 53. 03-R-1738 54. 03-R-1739 55. 03-R-1740 56. 03-R-1741 57. 03-R-1742 58. 03-R-1743 59. 03-R-1744 60. 03-R-1745 61. 03-R-1746 62. 03-R-1747 63. 03-R-1748 64. 03-R-1749 65. 03-R-1750 66. 03-R-1751 67. 03-R-1752 68. 03-R-1753 69. 03-R-1754 70. 03-R-1755 71. 03-R-1756 72. 03-R-1757 73. 03-R-1758 74. 03-R-1759 75. 03-R-1760 76. 03-R-1761 77. 03-R-1762 78. 03-R-1763 79. 03-R-1764	80. 03-R-1765 81. 03-R-1766 82. 03-R-1767 83. 03-R-1768 84. 03-R-1769 85. 03-R-1770 86. 03-R-1771 87. 03-R-1772 88. 03-R-1773 89. 03-R-1774 90. 03-R-1775 91. 03-R-1776 92. 03-R-1777 93. 03-R-1778 94. 03-R-1779 95. 03-R-1780 96. 03-R-1781 97. 03-R-1782 98. 03-R-1783 99. 03-R-1784 100. 03-R-1785 101. 03-R-1786 102. 03-R-1787 103. 03-R-1788 104. 03-R-1789 105. 03-R-1790 106. 03-R-1791 107. 03-R-1792 108. 03-R-1793 109. 03-R-1794 110. 03-R-1795 111. 03-R-1796 112. 03-R-1797 113. 03-R-1798 114. 03-R-1799 115. 03-R-1840 116. 03-R-1003